IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 19TH NOVEMBER 2007 / 28TH KARTHIKA 1929

Bail Appl..No. 6972 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.6350/2007 Dated 22/10/2007
CRIME NO.670/07 OF KALAMASSERY POLICE STATION

.....

PETITIONER : ACCUSED NO.5:

JAIMON, S/O.ASOKAN, AGED 21 YEARS,
NATTUVAZHI VELIYIL, NEAR AMEDA TEMPLE,
UDAYAMPERUR KARA, MANAKUNNAM VILLAGE.

BY ADV. SRI.P.T.JOSE

RESPONDENTS: COMPLAINANT:

STATE OF KERALA REPRESENTED BY
C.I. OF POLICE, KALAMASSERY POLICE STATION.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.6972 of 2007

Dated this the 19th day of November 2007

O R D E R

Application for regular bail. The petitioner faces allegations under Section 395 I.P.C. He is the fifth accused. The allegation is that the accused persons conspired to attack the de facto complainant when he returns home after closing his shop. Their purpose was to attack him and to rob him of a thick gold chain which he is always found to wear. The alleged incident took place on 7/8/2007. The petitioner was arrested on 13/9/2007. He continues in custody from that date. An earlier application for regular bail filed by the petitioner was dismissed by this court as per order dated 22/10/2007 in B.A.No.6350/2007. I have adverted to facts in detail in the said order. This order must be read in continuation of that order. I am not hence adverting to facts in any greater detail.

2. The application for bail is opposed by the learned Public Prosecutor. The learned Public Prosecutor submits that the investigation is not yet complete.

3. Having considered all the relevant inputs, I find merit in the opposition by the learned Public Prosecutor. Investigators in a serious crime like this are certainly entitled to further time to complete the investigation. I have taken note of the nature of the allegations, nature of materials collected as also the stage of investigation etc in coming to this conclusion.

4. In the result, this petition is dismissed. However, I may hasten to observe that the petitioner shall be at liberty to move this court or the Sessions court for bail again at later stages of the investigation not, at any rate, prior to 03/12/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007